



Federal Register

Monday,
May 13, 2002

Part IX

Department of Housing and Urban Development

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**24 CFR Subtitles A and B****[Docket No. FR-4756-N-01]****Semiannual Agenda of Regulations****AGENCY:** Department of Housing and Urban Development.**ACTION:** Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866, "Regulatory Planning and Review," as amended, HUD is publishing its agenda of regulations already issued or that are expected to be issued over the next several months, and currently effective rules that are under review. The agenda also describes regulations that may affect small entities as required by section 602 of the Regulatory Flexibility Act. The purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT:

Aaron Santa Anna, Assistant General Counsel for Regulations, Office of General Counsel, Department of Housing and Urban Development, Room 10276, 451 Seventh Street SW., Washington, DC 20410, (202) 708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Executive Order 12866, "Regulatory Planning and Review" (58 FR 51735), as amended by Executive Order 13258 (67 FR 9385), requires each agency to publish semiannually an agenda of (1) regulations that the agency has issued or expects to issue, and (2) currently effective regulations that are under agency review. The Regulatory Flexibility Act (5 U.S.C. 601-612) requires each agency to publish semiannually a regulatory agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866, as amended, and the Regulatory Flexibility Act each permit incorporation of the agenda required by these two authorities with any other prescribed agenda. Therefore, the agenda set out below combines the information required by Executive Order 12866, as amended, and the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive Order or by the Regulatory Flexibility Act which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

Section 610(c) of the Regulatory Flexibility Act requires each agency to publish annually a list of the rules that have a significant economic impact on a substantial number of small entities, and that are to be reviewed in accordance with the requirements of section 610 during the succeeding 12 months. Existing regulations that HUD proposes to amend by rules described and published in this agenda are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the rule should be continued without change, amended or rescinded. Proposed changes to existing regulations provide the opportunity for the Department to conduct a section 610 review.

The Department also is subject to certain rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 *et seq.*). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking and Financial Services) a semiannual agenda of all rules or regulations which are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. Section 7(o) provides that if, within that period, either committee notifies the Secretary that it intends to review any rule or regulation which appears on the agenda, the Secretary must submit to both committees a copy

of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days before it is published for comment. The semiannual agenda published today is the agenda transmitted to the committees in compliance with this requirement.

HUD has attempted to list in this agenda all regulations and regulatory reviews pending at the time of publication, except for minor and routine or repetitive actions, but some may have been inadvertently omitted, or may have arisen too late to be included in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where dates are provided for the next rulemaking actions, the dates are estimates and are not commitments to act on or by the date shown.

In some cases HUD has withdrawn rules that were placed on previous agendas and for which there has been no publication activity. Withdrawal of a rule does not necessarily mean that HUD will not proceed with the rulemaking. Withdrawal allows the HUD Administration to further assess the subject matter and determine whether rulemaking for this subject matter is appropriate. Following this review, the Department may determine that certain rules listed as withdrawn under this agenda are appropriate. If that determination is made, the rules will be included in a succeeding semiannual agenda.

In addition, for a few rules that have been published as a proposed or interim rule, and therefore require further rulemaking, HUD has identified the timing of the next action stage as "undetermined." These are rules that are still under review by the HUD Administration and for which a determination of the next action stage and timing of the next action stage has not yet been made.

The format of the agenda remains unchanged from previous years. HUD's agenda items are divided first by program office. Within each program office, the agenda items are divided into five groups: (i) pre-rulemaking actions, (ii) publication or other implementations of notices of proposed rulemaking, (iii) publication or other implementations of final rules, (iv) long-term actions, and (v) completed actions. Within each grouping, rules are listed in chronological order by the part number

HUD

of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected part number.

Since the purpose of publication of the agenda is to encourage more

effective public participation in the regulatory process by providing the public with early information about the Department's future regulatory actions, HUD invites all interested members of

the public to comment on the rules listed in the agenda.

Dated: April 9, 2002.

Alphonso Jackson,

Deputy Secretary.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
937	24 CFR 5.603 Exclusion of Veterans' Disability Benefits from Income (FR-4746)	2501-AC86
938	24 CFR 17 Administrative Wage Garnishment (FR-4711)	2501-AC85
939	24 CFR 24 Common Rule on Suspension and Debarments (FR-4692)	2501-AC81
940	24 CFR 203 Single Family Mortgage Insurance; Treble Damages for Failure to Engage in Loss Mitigation Activities (FR-4553)	2501-AC66
941	24 CFR 58 Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities (FR-4523)	2501-AC83

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
942	24 CFR 1 Rule To Conform Regulatory Definitions Civil Rights Restoration Act (FR-4587)	2501-AC70
943	24 CFR 5 Temporary Assistance to Needy Families (TANF); Conforming Changes to Annual Income Requirements for HUD's Public Housing and Section 8 Assistance Programs (FR-4635)	2501-AC77
944	24 CFR 5 Uniform Financial Reporting Standards for HUD Housing Programs, Additional Entity Filing Requirements (FR-4681)	2501-AC80
945	24 CFR 92 HOME Investment Partnerships Program — Amendments (FR-4111)	2501-AC30
946	24 CFR 888 Fair Market Rents for the Section 8 Tenant-Based Rental Housing and Homeownership Programs; Higher Fair Market Rents for Certain FMR Areas (FR-4606)	2501-AC75

Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
947	24 CFR 5 Electronic Document Retention and Consumer Disclosure Requirements in HUD-Related Transactions (FR-4686)	2501-AC79
948	24 CFR 28 Adjustment of HUD's Civil Money Penalties Pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 (FR-4555)	2501-AC67
949	24 CFR 40 Accessibility Standards for Design, Construction and Alteration of Certain Facilities Financed with Public Funds (FR-4317)	2501-AC47
950	24 CFR 81 The Secretary of HUD's Regulation of Fannie Mae and Freddie Mac; Prohibiting the Purchase of Certain Loans With High Costs and/or Predatory Features (FR-4614)	2501-AC76
951	24 CFR 84 Adoption of Revisions to OMB Circular A-110 (FR-4573)	2501-AC68

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
952	24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399)	2501-AC56

HUD

Office of the Secretary—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
2501-AC33	24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142)	03/05/2002	Withdrawn
2501-AC62	24 CFR 91 Consolidated Plan Amendments; Needs of Public Housing and Treatment of Troubled PHAs (FR-4518)	03/05/2002	Withdrawn
2501-AC71	24 CFR 92 Home Investment Partnerships Program: Grandfamilies (FR-4599)	03/05/2002	Withdrawn

Office of Housing—Prerule Stage

Sequence Number	Title	Regulation Identification Number
953	24 CFR 200.208 FHA Appraiser Watch Initiative (FR-4744)	2502-AH81

Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
954	24 CFR ch II Sale of Unoccupied and Substandard HUD-Held Housing to Local Governments and Community Development Organizations (FR-4658)	2502-AH61
955	24 CFR 202 Revisions to FHA Credit Watch/Termination Initiative (FR-4625)	2502-AH60
956	24 CFR 203 Upfront Mortgage Insurance Premiums: Remittance Requirements (FR-4690)	2502-AH67
957	24 CFR 203 Prohibition of Predatory Lending Practices: Limit on FHA Single Family Loan Fees (FR-4700)	2502-AH70
958	24 CFR 203.18 Limitation of FHA-Insured Loans to Nonprofit Agencies (FR-4702)	2502-AH71
959	24 CFR 203 Amendments to the Section 203(k) Rehabilitation Loan Insurance Program (FR-4701)	2502-AH73
960	24 CFR 203.60 FHA Inspector Roster (FR-4720)	2502-AH76
961	24 CFR 203 Lender Accountability for Appraisals (FR-4722)	2502-AH78
962	24 CFR 203.50 Up-Front Mortgage Insurance Premiums for Loans Insured Under 24 CFR 203(k) and 234(c) (FR-4749)	2502-AH82
963	24 CFR 203.49 Eligibility of Adjustable Rate Mortgages (ARMs) (FR-4745)	2502-AH84
964	24 CFR 207, 255 Agreements for Using FHA's Total Mortgage Scorecard (FR-4717)	2502-AH75
965	24 CFR 234 FHA Approval of Condominium Developments Located in the Commonwealth of Puerto Rico for Mortgage Insurance Under the Section 234(c) Program (FR-4713)	2502-AH80
966	24 CFR 236 Section 236 Excess Rental Charges (FR-4689)	2502-AH68
967	24 CFR 245 Tenant Participation in State-Financed, HUD-Assisted Housing Developments (FR-4611)	2502-AH55
968	24 CFR 291 Disposition of HUD-Owned Single Family Assets in Revitalization Areas (FR-4471)	2502-AH40
969	24 CFR 291, subpart F Disposition of HUD-Acquired Single Family Property; Officer/Teacher Next Door Sales Programs (FR-4712)	2502-AH72
970	24 CFR 880 Special Rent Adjustments (FR-4721)	2502-AH77
971	24 CFR 891 Mixed Finance Development for Supportive Housing for the Elderly and Persons with Disabilities (FR-4725)	2502-AH83
972	24 CFR 3280 Implementation of Manufactured Housing Improvement Act of 2000 (FR-4665)	2502-AH62
973	24 CFR 3500 et seq RESPA - Improving the Process for Obtaining Mortgages (FR-4727)	2502-AH85

Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
974	24 CFR 200 Delegation of Insuring Authority to Direct Endorsement Mortgagees (FR-4169)	2502-AG87
975	24 CFR 203 Nonprofit Organization Participation in Certain FHA Single Family Activities; Placement and Removal Procedures (FR-4585)	2502-AH49
976	24 CFR 200 Appraiser Qualifications for Placement on FHA Single Family Appraiser Roster (FR-4620)	2502-AH59
977	24 CFR 203 Single Family Mortgage Insurance; Section 203(k) Consultant Placement and Removal Procedures (FR-4592)	2502-AH51
978	24 CFR 203 Prohibition of Property Flipping in HUD's Single Family Mortgage Insurance Programs (FR-4615)	2502-AH57

HUD

Office of Housing—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
979	24 CFR 206 Insurance for Mortgages To Refinance Existing HECMs (FR-4667)	2502-AH63
980	24 CFR 207 Mortgage Insurance Premiums in Multifamily Housing Programs (FR-4679)	2502-AH64
981	24 CFR 402 Renewal of Expiring Section 8 Project-Based Assistance Contract (FR-4551)	2502-AH47
982	24 CFR 880 Distributions to Nonprofit Owners of Certain HUD-Assisted Multifamily Rental Projects (FR-4602)	2502-AH52
983	24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376)	2502-AH23

Office of Housing—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
984	24 CFR 242 Mortgage Insurance for the Refinancing of Existing Debt of Existing Hospitals (FR-4618)	2502-AH58
985	24 CFR 401 Release of Information to Tenants and Other Parties Pursuant to MAHRA (FR-4531)	2502-AH45
986	24 CFR 401 Mark-to-Market Program Amendments (FR-4751)	2502-AH86
987	24 CFR 891 Supportive Housing for the Elderly and Persons With Disabilities; Duration of Capital Advance (FR-4466)	2502-AH36

Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identification Number
988	24 CFR 3280 Manufactured Homes Construction and Safety Standards: Smoke Alarms (FR-4552)	2502-AH48

Office of Housing—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
2502-AH35	24 CFR 236 Rehabilitation Grants for Certain Multifamily Projects (FR-4465)	03/05/2002	Withdrawn
2502-AH65	24 CFR 891 Prepayment and Refinancing of Section 202 Loans (FR-4678)	03/05/2002	Withdrawn
2502-AH69	FHA Accelerated Claim Disposition Demonstration Program (FR-4691)	03/11/2002	Withdrawn

Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
989	24 CFR 570 CDBG Brownfields/Slum/Blight (FR-4699)	2506-AC12
990	24 CFR 574 Housing Opportunities for Persons with AIDS (HOPWA) (FR-4708)	2506-AC11
991	24 CFR 583 Supportive Housing Program (FR-4616)	2506-AC07

Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
992	24 CFR 570 CDBG Program for States; Community Revitalization Strategy Requirements and Miscellaneous Technical Amendments (FR-4081)	2506-AB83
993	24 CFR 570 Community Development Block Grant - Assisted Demolition of HUD-Owned Housing Units (FR-4698)	2506-AC10
994	24 CFR 583 Supportive Housing Program—Increasing Operating Cost Percentage (FR-4576)	2506-AC05
995	24 CFR 598 Designation of Renewal Communities and Third Round Empowerment Zones (FR-4663)	2506-AC09

HUD

Office of Community Planning and Development—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
996	24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556)	2506-AC04

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
997	24 CFR 100 Fair Housing Act Regulation; Conforming Amendment; Update To Reflect Current Edition of American National Standards Institute (ANSI) (FR-4554)	2529-AA88
998	24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4748)	2529-AA90

Office of Fair Housing and Equal Opportunity—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
999	24 CFR 100 Fair Housing Act Regulations Amendments: Standards Governing Sexual Harassment (FR-4597)	2529-AA89
1000	24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898)	2529-AA49

Office of Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1001	48 CFR 2401 HUD Acquisition Regulation (FR-4705)	2535-AA26

Office of the Inspector General—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1002	24 CFR 2002 Implementation of the Freedom of Information Act (FR-4716)	2508-AA12
1003	24 CFR 2004 Office of Inspector General Subpoenas and Production in Response to Subpoenas or Demands of Courts or Other Authorities (FR-4742)	2508-AA13

Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1004	24 CFR 902 Amended Public Housing Assessment System (PHAS) Rule (FR-4707)	2577-AC32
1005	24 CFR 902 Deregulation for Small PHAs (FR-4753)	2577-AC34
1006	24 CFR 905 Public Housing Capital Fund Program (FR-4507)	2577-AC16
1007	24 CFR 941 Mixed-Finance Public Housing Development (FR-4499)	2577-AC09
1008	24 CFR 960.204 Denial of Admission and Termination of Tenancy of Fugitive Felons (FR-4758)	2577-AC38
1009	24 CFR 964 Resident Participation in Public and Section 8 Housing (FR-4657)	2577-AC26
1010	24 CFR 970 Public Housing Demolition and Disposition (FR-4598)	2577-AC20
1011	24 CFR 972 Conversion of Developments From Public Housing Stock; Methodology for Comparing Costs of Public Housing and Tenant-Based Assistance (FR-4718)	2577-AC33
1012	24 CFR 1000 Implementation of Summary Revisions to NAHASDA (FR-4750)	2577-AC37
1013	24 CFR 1000 NAHASDA Housing Assistance for Native Hawaiians (FR-4668)	2577-AC27

HUD

Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1014	24 CFR 5 Implementation of Public Law 106-504: Eligibility of Citizens of the Freely Associated States for Federally Assisted Housing (FR-4754)	2577-AC35
1015	24 CFR 903 Public Housing Agency Plans: Deconcentration - Amendment to Established Income Range Definition (FR-4677)	2577-AC31
1016	24 CFR 906 Public Housing Homeownership Programs (FR-4504)	2577-AC15
1017	24 CFR 941 Public Housing Development Total Development Cost (TDC) (FR-4489)	2577-AC05
1018	24 CFR 972 Required Conversion of Development From Public Housing Stock (FR-4475)	2577-AC01
1019	24 CFR 972 Voluntary Conversion of Developments From Public Housing Stock (FR-4476)	2577-AC02
1020	24 CFR 982 Section 8 Housing Choice Voucher Program; Expansion of Payment Standards Protection (FR-4586)	2577-AC18
1021	24 CFR 982 Section 8 Homeownership Program; Pilot Program for Homeownership Assistance for Disabled Families (FR-4661)	2577-AC24
1022	24 CFR 982 Section 8 Homeownership Program: Downpayment Assistance Grants and Streamlining Amendments (FR-4670)	2577-AC28
1023	24 CFR 982 Exception Payment Standard to Offset Increase in Utility Costs In the Housing Choice Voucher Program (FR-4672)	2577-AC29
1024	24 CFR 982 Housing Choice Voucher Program Homeownership Option: Eligibility of PHA-owned or Controlled Units (FR-4759)	2577-AC39
1025	24 CFR 983 Project-Based Voucher Program (FR-4636)	2577-AC25
1026	24 CFR 985 Revisions to SEMAP Lease-Up Indicator (FR-4604)	2577-AC21

Office of Public and Indian Housing—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1027	24 CFR 990 Operating Fund Allocation Formula (FR-4425)	2577-AB88

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identification Number
1028	24 CFR 1000 HUD Policy for the Administration of HUD Programs on Indian Reservations and Other Indian Areas (FR-4580)	2577-AC06
1029	24 CFR 1005 Loan Guarantee for Indian Housing; Direct Guarantee Processing (FR-4241)	2577-AB78

Office of Public and Indian Housing—Discontinued Entries

Regulation Identification Number	Title	Date Withdrawn	Comments
2577-AC17	24 CFR ch IX HOPE VI Program (FR-4530)	03/20/2002	Withdrawn
2577-AC23	24 CFR 909 Public Housing Relocation Requirements (FR-4634)	03/18/2002	Withdrawn
2577-AC30	24 CFR 1000 Revisions to Indian Housing Block Grant Allocation Formula (FR-4676)	03/18/2002	Withdrawn

Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)

Proposed Rule Stage

937. • EXCLUSION OF VETERANS' DISABILITY BENEFITS FROM INCOME (FR-4746)

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 42 USC 1437a (b)(4)

CFR Citation: 24 CFR 5.603; 24 CFR 5.609; 24 CFR 92.203; 24 CFR 583.315

Legal Deadline: None

Abstract: This rule would exclude service-related veterans' disability payment from the calculation of income for eligibility and tenant rent purposes in HUD assisted housing programs.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patricia Arnaudo, Senior Housing Program Manager, Office of Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing, 451 7th Street, SW, Washington, DC 20410
 Phone: 202 708-0744

RIN: 2501-AC86

938. • ADMINISTRATIVE WAGE GARNISHMENT (FR-4711)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5514; 28 USC 2672; 42 USC 3535(d)

CFR Citation: 24 CFR 17

Legal Deadline: None

Abstract: This rule will implement the authority established under the Debt Collection Improvement Act of 1996 for HUD to collect its past-due debts through administrative wage garnishments.

Timetable:

Action	Date	FR Cite
NPRM	03/08/02	67 FR 10818
NPRM Comment Period End	05/07/02	
Final Action	08/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Samuel B. Rothman, Attorney Advisor, Office of Program Enforcement, Department of Housing and Urban Development, Office of the General Counsel
 Phone: 202 708-4184

RIN: 2501-AC85

939. COMMON RULE ON SUSPENSION AND DEBARMENTS (FR-4692)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 23

Legal Deadline: None

Abstract: This rule proposes substantive changes and amendments to the governmentwide nonprocurement common rule for debarment and suspension and the governmentwide rule implementing the Drug Free Workplace Act of 1988. This rule is part of a common rule on debarment and suspension that would limit the mandatory lower tier application of an exclusion to the first procurement level under a nonprocurement covered transaction. Also, the proposed common rule on debarment and suspension would set the dollar threshold on prohibited lower-tier procurement transactions with excluded persons at \$25,000.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2501-AC81

940. SINGLE FAMILY MORTGAGE INSURANCE; TREBLE DAMAGES FOR FAILURE TO ENGAGE IN LOSS MITIGATION ACTIVITIES (FR-4553)

Priority: Other Significant

Legal Authority: 12 USC 1715u; 12 USC 1735f-14; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 30

Legal Deadline: None

Abstract: This rule would implement sections 601(f)(g)(h) of the fiscal year 1999 HUD Appropriations Act (Pub. L. 105-276, approved October 21, 1998). These sections amend the National

Housing Act, which establishes the basic framework for HUD's single family mortgage insurance programs. Specifically, section 601(f) amends section 230 of the National Housing Act (42 U.S.C. 1715u) (entitled Authority to Assist Mortgages in Default) to provide that, upon default of an insured single family mortgage, lenders must engage in loss mitigation activities for the purpose of providing an alternative to foreclosure. Further, sections 601(g) and (h) amend section 536 of the National Housing Act (12 U.S.C. 1735f-14) (entitled Civil Money Penalties Against Mortgagees, Lenders, and Other Participants in FHA Programs) to provide for the imposition of treble civil money penalties on lenders that fail to engage in loss mitigation activities, as required under amended section 230.

Timetable:

Action	Date	FR Cite
ANPRM	12/06/00	65 FR 76520
ANPRM Comment Period End	02/05/01	
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing, Room 9172
 Phone: 202 708-1672

RIN: 2501-AC66

941. ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD'S ENVIRONMENTAL RESPONSIBILITIES (FR-4523)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1707 note; 25 USC 4115; 42 USC 1437o(i)(1); 42 USC 1437o(i)(2); 42 USC 1437x; 42 USC 3535(d); 42 USC 3547; 42 USC 4332; 42 USC 4852; 42 USC 5304 (g); 42 USC 11402; 42 USC 12588; ...

CFR Citation: 24 CFR 58; 24 CFR 574; 24 CFR 582; 24 CFR 583; 24 CFR 941; 24 CFR 968; 24 CFR 970; ...

Legal Deadline: None

Abstract: This rule would update the list of programs and statutory authorities for which other entities may assume HUD's environmental

HUD—HUDSEC

Proposed Rule Stage

responsibilities and make other changes to update the regulations on assumption of HUD's environmental responsibilities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Walter Prybyla, Deputy Director for Policy, Environmental Review Division,

Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1201

RIN: 2501-AC83

Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)

Final Rule Stage

942. RULE TO CONFORM REGULATORY DEFINITIONS CIVIL RIGHTS RESTORATION ACT (FR-4587)

Priority: Other Significant

Legal Authority: 42 USC 2000d-1; 42 USC 2000d-7; 42 USC 3535(d)

CFR Citation: 24 CFR 1; 24 CFR 8; 24 CFR 146

Legal Deadline: None

Abstract: Title VI of the Civil Rights Act of 1964 (Title VI), section 504 of the Rehabilitation Act of 1972 (Section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act) prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRRA) added definitions of "program or activity" and "program" to Title VI, and it added a definition of "program or activity" to Section 504 and the Age Discrimination Act. The promulgation of this rule incorporates the CRRRA's definition of "program or activity" and "program" into title VI, section 504, and Age Discrimination Act regulations.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pamela Walsh, Director, Program Standards Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-2288

RIN: 2501-AC70

943. TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF); CONFORMING CHANGES TO ANNUAL INCOME REQUIREMENTS FOR HUD'S PUBLIC HOUSING AND SECTION 8 ASSISTANCE PROGRAMS (FR-4635)

Priority: Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437d; 42 USC 1437f; 42 USC 1437n; 42 USC 3535(d); ...

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule updates and clarifies HUD's annual income requirements for its public housing and Section 8 assistance programs. Specifically, this rule clarifies that annual income includes payments under the Temporary Assistance for Needy Families (TANF) program, but only to the extent such payments qualify as "assistance" under the TANF program regulations issued by the Department of Health and Human Services and are not otherwise excluded under HUD's regulation. The clarifications will make the annual income requirements easier to understand for both program participants and public housing agencies. These changes will also ensure greater conformity between HUD's annual income requirements and the TANF program regulations. The final rule follows publication of an April 20, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	04/20/01	66 FR 20368
NPRM Comment Period End	06/19/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patricia Arnaudo, Senior Program Manager, Office of Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2501-AC77

944. UNIFORM FINANCIAL REPORTING STANDARDS FOR HUD HOUSING PROGRAMS, ADDITIONAL ENTITY FILING REQUIREMENTS (FR-4681)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1703; 12 USC 1709; 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 5; 24 CFR 202

Legal Deadline: None

Abstract: This rule would amend HUD's regulation on Uniform Financial Reporting Standards by adding HUD Approved Title I and Title II nonsupervised lenders, nonsupervised mortgagees and loan correspondents to the covered entities required to electronically submit annual financial information to HUD prepared in accordance with generally accepted accounting principles. Under long-standing regulatory and contractual requirements, these entities already submit financial information to HUD on an annual basis.

Timetable:

Action	Date	FR Cite
NPRM	11/30/01	66 FR 50133
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

HUD—HUDSEC

Final Rule Stage

Agency Contact: Stacey Kniff,
Department of Housing and Urban
Development, Real Estate Assessment
Center
Phone: 202 708-4932

RIN: 2501–AC80

945. HOME INVESTMENT PARTNERSHIPS PROGRAM — AMENDMENTS (FR-4111)

Priority: Other Significant

Legal Authority: 42 USC 12701 to
12839; 42 USC 3535(d)

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rule makes final a provision published for comment as part of an otherwise final rule published on August 22, 1997, with respect to rents for over-income tenants in HOME-assisted units that “float.” This rule also makes other technical clarifications.

Timetable:

Action	Date	FR Cite
NPRM	12/11/96	61 FR 65298
NPRM Comment Period End	02/10/97	
Final Rule	08/22/97	62 FR 44838
Final Rule Effective	09/22/97	
Comment Period End	10/21/97	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Kolesar,
Director, Office of Affordable Housing
Programs, Department of Housing and
Urban Development, Office of
Community Planning and Development
Phone: 202 708-2470

RIN: 2501–AC30

946. FAIR MARKET RENTS FOR THE SECTION 8 TENANT-BASED RENTAL HOUSING AND HOMEOWNERSHIP PROGRAMS; HIGHER FAIR MARKET RENTS FOR CERTAIN FMR AREAS (FR-4606)

Priority: Economically Significant

Legal Authority: 42 USC 1437a; 42
USC 1437c; 42 USC 1437f; 42 USC
3535(d)

CFR Citation: 24 CFR 888; 24 CFR 982;
24 CFR 985

Legal Deadline: None

Abstract: This rule follows the interim final rule that implemented HUD’s new fair market rent (FMR) policy. The new FMR policy targets relief to areas where higher FMRs are needed to help families, assisted under HUD’s Housing Choice Voucher Program as well as other HUD programs, find and lease

decent and affordable housing. The new FMR policy increases FMRs needed to promote residential choice, help families move closer to areas of job growth, and deconcentrate poverty. The increased FMR applies to all the HUD programs that use FMRs in that metropolitan area.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/02/00	65 FR 58870
Interim Final Rule Comment Period End	11/16/00	
Interim Final Rule Effective	12/01/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State,
Local

Agency Contact: Gerald Benoit,
Director, Real Estate and Housing
Performance Division, Department of
Housing and Urban Development,
Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2501–AC75

Department of Housing and Urban Development (HUD) Office of the Secretary (HUDSEC)

Long-Term Actions

947. ELECTRONIC DOCUMENT RETENTION AND CONSUMER DISCLOSURE REQUIREMENTS IN HUD-RELATED TRANSACTIONS (FR- 4686)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq;
12 USC 1715Z-13a; 12 USC 2601 to
2617; 15 USC 1701 to 1706; 15 USC
7001 to 7006; ...

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule will implement the Electronic Signature Act which allows agencies to issue regulations, pursuant to their existing regulatory authority, interpreting section 101 of E-SIGN (15 U.S.C. 7001) and setting performance standards for the accuracy, integrity, and accessibility of electronically retained documents. The rule will set

performance standards for the accessibility, integrity and accuracy of electronically retained documents.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Koren McKenzie-
John, Attorney-Advisor, Multifamily
Mortgage Division, Department of
Housing and Urban Development,
Office of the General Counsel
Phone: 202 708-4090

RIN: 2501–AC79

948. ADJUSTMENT OF HUD’S CIVIL MONEY PENALTIES PURSUANT TO THE FEDERAL CIVIL PENALTIES INFLATION ADJUSTMENT ACT OF 1990 (FR-4555)

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2461 note; 31
USC 3701 note

CFR Citation: 24 CFR 28; 24 CFR 30;
24 CFR 3282; 24 CFR 3500; 24 CFR
81

Legal Deadline: None

Abstract: This final rule would adjust for inflation the maximum amounts of HUD’s civil money penalties, as required by the Federal Civil Money Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note), as amended by the Debt Collection Improvement Act of 1996 (31 U.S.C. 3701 note). HUD is required to adjust the maximum

HUD—HUDSEC

Long-Term Actions

amounts of its civil money penalties at least once every 4 years. HUD last adjusted these maximum amounts in a final rule that became effective October 24, 1996 (61 FR 50208). Accordingly, HUD must adjust the maximum amounts of its civil money penalties before October 24, 2000.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

RIN: 2501-AC67

949. ACCESSIBILITY STANDARDS FOR DESIGN, CONSTRUCTION AND ALTERATION OF CERTAIN FACILITIES FINANCED WITH PUBLIC FUNDS (FR-4317)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 4151 et seq

CFR Citation: 24 CFR 40; 24 CFR 41

Legal Deadline: None

Abstract: The U.S. Architectural and Transportation Barriers Compliance Board (Access Board), of which HUD is a voting member, is revising and updating its accessibility guidelines for buildings and facilities covered by the Americans with Disabilities Act and the Architectural Barriers Act (ABA). The guidelines cover new construction and alterations and serve as the basis for enforceable standards issued by other Federal agencies, including HUD. HUD, as one of the four standard setting agencies, must adopt standards that are equivalent to or stricter than those guidelines issued by the Access Board. Thus, HUD must both update its regulations for the ABA at 24 CFR 40 and 41, and must also update/replace its Uniform Federal Accessibility Standards (UFAS) with standards equivalent to or stricter than the Access Board's guidelines.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Milton Turner, Director, Program Compliance and Disability Rights Support Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-2333

RIN: 2501-AC47

950. THE SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC; PROHIBITING THE PURCHASE OF CERTAIN LOANS WITH HIGH COSTS AND/OR PREDATORY FEATURES (FR-4614)

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 12 USC 1451 et seq; 12 USC 1716 et seq; 12 USC 4501 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 81

Legal Deadline: None

Abstract: A report issued in June 2000 by HUD and the Department of Treasury entitled "Curbing Predatory Home Mortgage Lending" noted that by providing a source of funding, entities that purchase or securitize loans with high cost and/or predatory features are, knowingly or unknowingly, supporting the activities of predatory loan originators. The report recommended regulatory restrictions that would prohibit the two Government-Sponsored Enterprises (GSEs), Fannie Mae and Freddie Mac, from purchasing certain types of loans with high costs and/or predatory features altogether. Through this rulemaking, HUD will establish regulatory restrictions, consistent with the GSEs' voluntary restrictions, that will prohibit the GSEs from purchasing certain loans with high costs and/or predatory features.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Fostek, Director, GSE, Regulatory Staff, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2224

RIN: 2501-AC76

951. ADOPTION OF REVISIONS TO OMB CIRCULAR A-110 (FR-4573)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 5; 24 CFR 44; 24 CFR 45; 24 CFR 84; 24 CFR 85

Legal Deadline: None

Abstract: This document presents the final revision to the codification, at 24 CFR part 84, of Office of Management and Budget (OMB) Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations." OMB issued a final revision to Circular A-110 on September 30, 1999, as required by Public Law 105-227. This rule provides uniform administrative requirements for all grants and cooperative agreements to institutions of higher education, hospitals, and other nonprofit organizations. FR-4258 (RIN 2501-AC39), which makes final an interim rule that adopted revised OMB Circular A-133 to obtain consistency and uniformity among Federal agencies for the audit of States, local governments, and nonprofit organizations expending Federal awards, is also merged with this rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/11/00	65 FR 30498
Interim Final Rule Effective	06/12/00	
Interim Final Rule Comment Period End	07/10/00	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Dorf, Director, Office of Departmental Grants Management and Oversight, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-0667

RIN: 2501-AC68

Department of Housing and Urban Development (HUD)
Office of the Secretary (HUDSEC)

Completed Actions**952. AMENDMENTS TO HUD'S CIVIL MONEY PENALTY REGULATIONS (FR-4399)****Priority:** Other Significant**CFR Citation:** 24 CFR 30**Completed:**

Reason	Date	FR Cite
Final Action	12/06/01	66 FR 63436

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Dane Narode
Phone: 202 708-2350**RIN:** 2501-AC56

Department of Housing and Urban Development (HUD)
Office of Housing (OH)

Prerule Stage**953. • FHA APPRAISER WATCH INITIATIVE (FR-4744)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 to 1715z-18; 42 USC 3535(d)**CFR Citation:** 24 CFR 200.208**Legal Deadline:** None**Abstract:** This notice requests comments on issues related to the implementation of the Federal Housing Administration (FHA) Appraiser Watch Initiative. Through the Appraiser Watch Initiative, HUD plans to establish and monitor a performance standard that

appraisers must meet to maintain their status on the Appraiser Roster. HUD is considering an approach modeled on FHA's Credit Watch Termination Initiative that would provide for an electronic, fully computerized Appraiser Watch monitoring system, and would permit an appraiser to be removed from the Roster if the rate of defaults and claims on closed mortgages linked to the appraiser exceeds a rate established by HUD.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121**RIN:** 2502-AH81

Department of Housing and Urban Development (HUD)
Office of Housing (OH)

Proposed Rule Stage**954. SALE OF UNOCCUPIED AND SUBSTANDARD HUD-HELD HOUSING TO LOCAL GOVERNMENTS AND COMMUNITY DEVELOPMENT ORGANIZATIONS (FR-4658)****Priority:** Other Significant**Legal Authority:** 12 USC 1715z-11a; 42 USC 3535(d)**CFR Citation:** 24 CFR ch II**Legal Deadline:** None**Abstract:** This proposed rule would provide for a program to sell properties that are vacant or substandard to local governments and community development corporations. The properties must be used for community revitalization purposes, and must be held in the HUD inventory for at least 6 months.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Beverly Miller, Director, Office of Multifamily Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3730**RIN:** 2502-AH61**955. REVISIONS TO FHA CREDIT WATCH/TERMINATION INITIATIVE (FR-4625)****Priority:** Other Significant**Legal Authority:** 12 USC 1703; 12 USC 1709; 12 USC 1715b; 42 USC 3535(d)**CFR Citation:** 24 CFR 202**Legal Deadline:** None**Abstract:** This rule would make several amendments to HUD's regulations for the Federal Housing Administration (FHA) Credit Watch/Termination Initiative. Under the Credit Watch/Termination Initiative, HUD identifies mortgagees with unsatisfactory performance levels and takes ameliorative action at an early stage. The proposed rule would provide that HUD will no longer provide mortgagees with written notification of

Credit Watch status. Rather, mortgagees will be responsible for using HUD's Electronic Neighborhood Watch System to monitor their performance. Among other changes, the rule would also prohibit a mortgagee that has received a notice of proposed termination of its origination approval agreement from establishing a new branch for the origination of FHA-insured mortgages in the lending area covered by the proposed termination. The rule also would establish that the default and claim thresholds underlying the Credit Watch/Termination Initiative apply to both underwriting and originating mortgagees.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development,

HUD—OH

Proposed Rule Stage

Office of Housing, P3214, 451 7th Street SW., Washington, DC 20410
Phone: 202 708-1515

RIN: 2502-AH60

956. UPFRONT MORTGAGE INSURANCE PREMIUMS: REMITTANCE REQUIREMENTS (FR-4690)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule will change the remittance period of mortgage insurance premiums. The rule will also implement a more precise definition of when the remittance period begins.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH67

957. PROHIBITION OF PREDATORY LENDING PRACTICES: LIMIT ON FHA SINGLE FAMILY LOAN FEES (FR-4700)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 12 USC 1715z to 1720; 42 USC 3535(d); ...

CFR Citation: 24 CFR 203; 24 CFR 206

Legal Deadline: None

Abstract: This proposed rule would implement one of several new HUD initiatives to combat predatory lending in the Federal Housing Administration (FHA) single family mortgage insurance programs. Specifically, the proposed rule would limit the fees that may be charged on FHA-insured single family mortgages. The maximum amount would include charges paid by the seller and lender on behalf of the borrower. The proposed fee limits

would exclude legitimate fees paid to service providers, reasonable and customary discount charges and certain prepaid expenses. The proposed cap on fees will protect FHA borrowers from becoming unwitting victims of excessive, frequently hidden, loan fees and charges.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH70

958. • LIMITATION OF FHA-INSURED LOANS TO NONPROFIT AGENCIES (FR-4702)

Priority: Other Significant

Legal Authority: 12 USC 1709; 42 USC 3535(d)

CFR Citation: 24 CFR 203.18; 24 CFR 203.36; 24 CFR 291.210(a)

Legal Deadline: None

Abstract: This rule limits nonprofit corporations to ten outstanding single-family insured loans at any one time. In addition, the rule limit nonprofits to loans secured by properties with no more than one dwelling unit.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations

Government Levels Affected: None

Agency Contact: Margaret Burns, Director, Program Support Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0317

RIN: 2502-AH71

959. • AMENDMENTS TO THE SECTION 203(K) REHABILITATION LOAN INSURANCE PROGRAM (FR-4701)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535 (d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This proposed rule would make two amendments to HUD's regulations for the Section 203(k) Rehabilitation Loan Insurance Program. The 203(k) Program is the Federal Housing Administration's (FHA's) primary program for the rehabilitation and repair of single family properties. The proposed rule would limit 203(k) rehabilitation loan insurance to one-unit properties. HUD also proposes to cap the total cost of rehabilitation to twenty percent of the single family mortgage limit established by HUD for a one-unit home in a "high cost area." These changes would simplify the 203(k) Program for both lenders and homebuyers, and strengthen HUD's capacity to safeguard the FHA mortgage insurance fund.

Timetable:

Action	Date	FR Cite
NPRM	07/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH73

960. • FHA INSPECTOR ROSTER (FR-4720)

Priority: Other Significant

Legal Authority: 12 USC 1709; 42 USC 3535(d)

CFR Citation: 24 CFR 203.60

Legal Deadline: None

Abstract: This rule establishes the criteria for inclusion on, and removal from, the FHA Inspector Roster. FHA officials will review the credentials of

HUD—OH

Proposed Rule Stage

individuals desiring placement on this Roster or recertification to the Roster. The rule also identifies when a mortgagee must use the services of those individuals appearing on the Roster.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH76

961. • LENDER ACCOUNTABILITY FOR APPRAISALS (FR-4722)**Priority:** Other Significant

Legal Authority: 12 USC 1708 to 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 25; 24 CFR 203

Legal Deadline: None

Abstract: This rule would clarify and strengthen HUD's regulations concerning the responsibilities of lenders in assuring the quality of Federal Housing Administration (FHA) appraisals. First, the rule would codify HUD's policy that lenders are responsible, equally with appraisers, for the quality of appraisals on properties that secure FHA insured mortgages. Further, the rule clarifies that lenders are subject to sanction by the HUD Mortgagee Review Board for submitted appraisals that are inconsistent with FHA requirements. HUD believes these proposed changes will help ensure that homebuyers receive an accurate statement of value. These changes also will ensure that an accurate appraised value is received for calculating the maximum mortgage amount that can be insured, which will in turn better protect the FHA mortgage insurance funds.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	
NPRM Comment Period End	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH78

962. • UP-FRONT MORTGAGE INSURANCE PREMIUMS FOR LOANS INSURED UNDER 24 CFR 203(K) AND 234(C) (FR-4749)**Priority:** Other Significant

Legal Authority: 12 USC 1709(c); 42 USC 3535(d)

CFR Citation: 24 CFR 203.50; 24 CFR 203.84; 24 CFR 203.85

Legal Deadline: None

Abstract: This rule amends 24 CFR Part 203 to require an up-front payment at the beginning of the loan of the insurance premium for loans insured under sections 203(k) and 234(c) of the National Housing Act. Formerly, these loans required only monthly premium payments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Beavers, Loan Specialist (Realty), Department of Housing and Urban Development, Office of Housing, Room 9270, 451 7th Street, SW, Washington, DC 20410
Phone: 202 708-2121

RIN: 2502-AH82

963. • ELIGIBILITY OF ADJUSTABLE RATE MORTGAGES (ARMS) (FR-4745)**Priority:** Other Significant

Legal Authority: 12 USC 1715z-16; 42 USC 3535(d)

CFR Citation: 24 CFR 203.49

Legal Deadline: None

Abstract: This rule would implement section 206 of HUD's FY 2002 Appropriations Act and enhance home

buying opportunities through additional product offerings, "hybrid ARMs," tailored to the financial conditions of lenders. Except for additional provisions for the frequency and magnitude of the interest rate changes, these products would be subject to existing regulatory requirements at 24 CFR 203.49.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH84

964. • AGREEMENTS FOR USING FHA'S TOTAL MORTGAGE SCORECARD (FR-4717)**Priority:** Other Significant

Legal Authority: 42 USC 3535(d); 12 USC 1709, 1710, 1715b and 1715y

CFR Citation: 24 CFR 207, 255

Legal Deadline: None

Abstract: On December 6, 2000, the Department issued a notice in the Federal Register regarding its intention to deploy its recently developed mortgage scorecard and replace any and all proprietary scorecards developed by system vendors with the Technology Open to All Lenders (TOTAL) mortgage scorecard. FHA has developed a draft Use Agreement which sets forth the requirements and responsibilities for implementation and use of the FHA TOTAL Scorecard by qualified lenders, government sponsored enterprises and their contractors, sponsors, loan correspondents and authorized agents that purchase, sell, underwrite or document HUD/FHA mortgage loans for lenders under HUD/FHA's Direct Endorsement procedures for various HUD/FHA mortgage insurance programs (hereinafter "Lenders"). This regulation will announce this fact to automated underwriting system vendors and mortgage lenders.

HUD—OH

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH75

965. • FHA APPROVAL OF CONDOMINIUM DEVELOPMENTS LOCATED IN THE COMMONWEALTH OF PUERTO RICO FOR MORTGAGE INSURANCE UNDER THE SECTION 234(C) PROGRAM (FR-4713)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1715b; 12 USC 1715y; 42 USC 3535(d)

CFR Citation: 24 CFR 234

Legal Deadline: None

Abstract: This rule would amend the Department's regulations under part 234 to provide that the date of recordation for purposes of obtaining FHA approval of a condominium development in the Commonwealth of Puerto Rico for mortgage insurance under the 234(c) program is the date the condominium legal documents are presented to the Commonwealth Registry of the Property.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH80

966. SECTION 236 EXCESS RENTAL CHARGES (FR-4689)

Priority: Other Significant

Legal Authority: 12 USC 1715z-1; 42 USC 3535(d)

CFR Citation: 24 CFR 236

Legal Deadline: None

Abstract: This rule would establish the terms and conditions to permit owners of projects receiving section 236 rental assistance to participate in retaining some or all of their excess charges for project use. In addition, it would permit owners to retain excess charges for non-project use after a determination by HUD that the project is well maintained housing in good condition and that the owner has not engaged in material adverse financial or managerial actions or omissions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Janice Nimmer, Housing Project Manager, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3944

RIN: 2502-AH68

967. TENANT PARTICIPATION IN STATE-FINANCED, HUD-ASSISTED HOUSING DEVELOPMENTS (FR-4611)

Priority: Other Significant

Legal Authority: 12 USC 1715z-1a; 12 USC 1715z-1b; 42 USC 3535(d)

CFR Citation: 24 CFR 245

Legal Deadline: None

Abstract: HUD's current regulations protecting the statutory right of tenants in HUD-assisted and insured multifamily housing developments to organize and participate in the operation of the development do not currently cover State-financed housing developments that receive assistance under certain HUD programs. However, the statutory right of tenants to organize includes those State-financed housing developments. This rule will extend the protection of tenant organization to include State-financed developments assisted under certain HUD programs.

This rule also makes a minor technical correction to a citation in the existing tenant participation regulation. Section 245.135(a)(3) of the rule intended to cross-reference 24 CFR part 24, subpart G; the CFR part was omitted.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH55

968. DISPOSITION OF HUD-OWNED SINGLE FAMILY ASSETS IN REVITALIZATION AREAS (FR-4471)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; 12 USC 1710(h); 42 USC 3535(d)

CFR Citation: 24 CFR 291

Legal Deadline: NPRM, Statutory, October 21, 2000.

Abstract: This rule would implement section 602 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, 112 Stat. 2519, approved October 21, 1998). Section 602 directs HUD to carry out a program under which HUD-owned homes and mortgages are made available in a manner that promotes expanded homeownership opportunities in designated revitalization areas. Under section 602, the Secretary will designate revitalization areas, in consultation with affected units of general local government and interested nonprofit organizations. Section 602 provides that the Secretary shall provide a preference in the sale of HUD-owned homes and mortgages to nonprofit organizations or to the unit of general local government having jurisdiction in the revitalization area.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

HUD—OH

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Thomas Thompson, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3175**RIN:** 2502-AH40**969. • DISPOSITION OF HUD-ACQUIRED SINGLE FAMILY PROPERTY; OFFICER/TEACHER NEXT DOOR SALES PROGRAMS (FR-4712)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)**CFR Citation:** 24 CFR 291, subpart F**Legal Deadline:** None

Abstract: This rule codifies the policies and procedures concerning the Teacher Next Door (TND) Sales Program. The TND Sales Program has been operating since December 7, 1999 as a temporary program. This rule establishes the TND Sales Program as a permanent part of HUD's single family property disposition program. Through the TND Sales Program, HUD makes HUD-acquired single family properties available to eligible teachers for purchase at a discount from the list price. The TND Sales Program is closely modelled after HUD's Officer Next Door (OND) Sales Program, which provides the same benefits to eligible law enforcement officers. In addition to codifying the TND Sales Program, the rule would also clarify and revise certain requirements applicable to both the OND and TND Sales Programs. Among other such changes, the proposed rule would: (1) expand eligibility for the OND Sales Program to include Native American tribal police officers; (2) cap the total number of HUD-acquired homes that will be sold in a fiscal year under the OND/TND Sales Program; (3) establish new requirements regarding refinancing.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Joseph McCloskey, Director, Office of Single Family Asset Management, Department of Housing and Urban Development, Office of Housing, Room 9172
Phone: 202 708-1672**RIN:** 2502-AH72**970. • SPECIAL RENT ADJUSTMENTS (FR-4721)****Priority:** Other Significant**Legal Authority:** 42 USC 1437a; 42 USC 1437c; 42 USC 2437f; 42 USC 3535(d); 42 USC 12701; 42 USC 13611-13619; ...**CFR Citation:** 24 CFR 880; 24 CFR 886**Legal Deadline:** None

Abstract: The purpose of this rule is to conform the regulatory language that governs special rent adjustments for Section 8 New Construction, Substantial Rehabilitation, State Agency, Loan Management and Property Disposition contracts with the statutory language that allows special rent adjustments for increases in real property taxes, utility rates or similar costs.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Peter J. Giaquinto, Housing Project Manager, Department of Housing and Urban Development, Office of Housing, Washington, DC 20410
Phone: 202 708-2866**RIN:** 2502-AH77**971. • MIXED FINANCE DEVELOPMENT FOR SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES (FR-4725)****Priority:** Other Significant**Legal Authority:** Section 831-834 American Homeownership and Economic Opportunity Act of 2000**CFR Citation:** 24 CFR 891**Legal Deadline:** None

Abstract: This rule permits for-profit limited partners to partner with a non-profit general partner in developing assisted housing for elderly and disabled using a mixed finance model, where HUD funding and non-Federal funding sources are combined in a single project. This rule would implement this program, providing for rules for the use of different funding sources, application procedures, procedures for the dispersal of funds, and other matters involved in program implementation.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Aretha Williams, Housing Project Manager, Department of Housing and Urban Development, Office of Housing, Room 6142, Washington, DC 20410
Phone: 202 708-2866**RIN:** 2502-AH83**972. IMPLEMENTATION OF MANUFACTURED HOUSING IMPROVEMENT ACT OF 2000 (FR-4665)****Priority:** Other Significant**Legal Authority:** PL 106-569, title VI; 42 USC 5424; 42 USC 3535(d)**CFR Citation:** 24 CFR 3280; 24 CFR 3282**Legal Deadline:** None

Abstract: On December 27, 2000, the Manufactured Housing Improvement Act of 2000 was approved. This Act establishes a consensus rulemaking process for HUD's manufactured housing program, and provides for the establishment of installation, dispute resolution programs, and fees among other things. As a result of this new statute, amendments are necessary to HUD's existing Manufactured Housing Program regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

HUD—OH

Proposed Rule Stage

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Elizabeth Cocke, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6409

RIN: 2502-AH62**973. • RESPA - IMPROVING THE PROCESS FOR OBTAINING MORTGAGES (FR-4727)**

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 2617; 42 USC 3535(d)

CFR Citation: 24 CFR 3500 et seq

Legal Deadline: None

Abstract: This rule would amend HUD's RESPA regulations to improve the disclosure of mortgage costs to consumers.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Kenneth A. Markison, Assistant General Counsel for GSE/RESPA, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-3137

RIN: 2502-AH85

Department of Housing and Urban Development (HUD)

Final Rule Stage

Office of Housing (OH)

974. DELEGATION OF INSURING AUTHORITY TO DIRECT ENDORSEMENT MORTGAGEES (FR-4169)

Priority: Other Significant

Legal Authority: 12 USC 1709; 12 USC 1701 to 1720; 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 202; 24 CFR 203; 24 CFR 206

Legal Deadline: None

Abstract: This rule would make final the June 2, 1997 interim rule that implemented the Lender Insurance program, which reflects the Secretary's authority to delegate the issuance of Mortgage Insurance Certificates (MICs) to mortgagees that are approved under the Direct Endorsement program. This rule provides that eligible mortgagees that participate in the Lender Insurance program will be responsible for conducting a pre-endorsement review during the origination of their single family mortgage loans and they will be responsible for endorsing the mortgages for insurance. Delegating this insurance authority through the Lender program is a more efficient and less burdensome process for providing single family mortgage insurance. This final rule follows publication of the June 2, 1997 interim rule, and takes into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/02/97	62 FR 30222
Interim Final Rule Effective	07/02/97	
Interim Final Rule Comment Period End	08/01/97	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AG87**975. NONPROFIT ORGANIZATION PARTICIPATION IN CERTAIN FHA SINGLE FAMILY ACTIVITIES; PLACEMENT AND REMOVAL PROCEDURES (FR-4585)**

Priority: Other Significant

Legal Authority: 12 USC 1702 to 1715z-21; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This rule establishes regulatory placement and removal procedures for HUD's Nonprofit Organization Roster. The Roster lists nonprofit organizations that HUD has

determined are qualified to participate in certain specified Federal Housing Administration (FHA) single family activities. These activities may include acting as a mortgagor; purchasing HUD's Real Estate Owned Properties (HUD Homes) at a discount; providing secondary financing; and imposing legal restrictions on conveyance as part of affordable housing programs. Presently, there are no regulatory procedures for placing a nonprofit organization on, nor for removing a poorly performing nonprofit organization from, the Roster. The establishment of these placement and removal procedures will better protect participants in the FHA single family programs and safeguard FHA insurance funds. This rule follows publication of a September 17, 2001 proposed rule, and takes into consideration the two public comments received on the proposed rule. After careful consideration of the comments, HUD has decided to adopt the proposed rule without change.

Timetable:

Action	Date	FR Cite
NPRM	09/17/01	66 FR 48080
NPRM Comment Period End	11/16/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations

Government Levels Affected: None

Agency Contact: Vance Morris,
Director, Office of Single Family
Program Development, Department of
Housing and Urban Development,
Office of Housing
Phone: 202 708-2121
RIN: 2502-AH49

976. APPRAISER QUALIFICATIONS FOR PLACEMENT ON FHA SINGLE FAMILY APPRAISER ROSTER (FR-4620)
Priority: Other Significant
Legal Authority: 12 USC 1701 to 1715z-18; 42 USC 3535(d)
CFR Citation: 24 CFR 200
Legal Deadline: None
Abstract: This rule makes several regulatory changes designed to strengthen the licensing and certification requirements for placement on the Federal Housing Administration (FHA) Appraiser Roster. First, the rule requires that appraisers on the Appraiser Roster must have professional credentials that are based on the minimum licensing/certification standards issued by the Appraiser Qualifications Board of the Appraisal Foundation. The rule also clarifies that an appraiser may be removed from the Appraiser Roster if the appraiser loses his or her license or certification in any State due to disciplinary action, even if the appraiser continues to be licensed or certified in another State. Finally, the rule provides that an appraiser who is licensed or certified in a single State and whose license or certification has expired, or has been revoked, suspended or surrendered as a result of a State disciplinary action, will be automatically suspended from the Appraiser Roster until HUD receives evidence demonstrating renewal or that the State-imposed sanction has been lifted. This final rule follows publication of a November 30, 2001 proposed rule and takes into consideration the public comments received on the proposed rule.
Timetable:

Action	Date	FR Cite
NPRM	11/30/01	66 FR 60128
NPRM Comment Period End	01/29/02	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Businesses

Government Levels Affected: None
Agency Contact: Vance Morris,
Director, Office of Single Family
Program Development, Department of
Housing and Urban Development,
Office of Housing
Phone: 202 708-2121
RIN: 2502-AH59

977. SINGLE FAMILY MORTGAGE INSURANCE; SECTION 203(K) CONSULTANT PLACEMENT AND REMOVAL PROCEDURES (FR-4592)
Priority: Other Significant
Legal Authority: 12 USC 1702 to 1715z-21; 42 USC 3535(d)
CFR Citation: 24 CFR 200; 24 CFR 203
Legal Deadline: None
Abstract: This rule establishes placement and removal procedures for HUD's list of qualified consultants under the Section 203(k) Rehabilitation Loan Insurance program. The 203(k) Program is HUD's primary program for the rehabilitation and repair of single family properties. A 203(k) lender may select a qualified independent consultant, who is an expert in the field of home inspection and construction, to perform various tasks required for the rehabilitation of the property. Presently, there are no regulatory procedures for placing a consultant on, nor for removing a poorly performing consultant from, the list. The establishment of these placement and removal procedures will better protect 203(k) borrowers and lenders and safeguard Federal Housing Administration (FHA) insurance funds. This final rule follows publication of an October 24, 2001 proposed rule. No public comments were received on the proposed rule.
Timetable:

Action	Date	FR Cite
NPRM	10/24/01	66 FR 53930
NPRM Comment Period End	12/24/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Organizations
Government Levels Affected: None
Agency Contact: Vance Morris,
Director, Office of Single Family
Program Development, Department of
Housing and Urban Development,
Office of Housing

Phone: 202 708-2121
RIN: 2502-AH51

978. PROHIBITION OF PROPERTY FLIPPING IN HUD'S SINGLE FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4615)
Priority: Other Significant
Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)
CFR Citation: 24 CFR 203
Legal Deadline: None
Abstract: This rule addresses property "flipping," the practice whereby a property recently acquired is resold for a considerable profit with an artificially inflated value, often abetted by a lender's collusion with the appraiser. Specifically, the final rule will establish certain new requirements regarding the eligibility of properties for FHA mortgage insurance. The regulatory amendments made by this rule will protect FHA borrowers from becoming unwitting victims of property flipping. Further, the proposed changes comply with congressional mandates to maintain the FHA Insurance Fund in a sound actuarial manner. The final rule follows publication of a September 5, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.
Timetable:

Action	Date	FR Cite
NPRM	09/05/01	66 FR 46502
NPRM Comment Period End	11/05/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Businesses, Organizations
Government Levels Affected: None
Agency Contact: Vance Morris,
Director, Office of Single Family
Program Development, Department of
Housing and Urban Development,
Office of Housing
Phone: 202 708-2121
RIN: 2502-AH57

HUD—OH

Final Rule Stage

979. INSURANCE FOR MORTGAGES TO REFINANCE EXISTING HECMS (FR-4667)**Priority:** Other Significant**Legal Authority:** 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)**CFR Citation:** 24 CFR 206**Legal Deadline:** Final, Statutory, June 27, 2001, Section 201 of the American Homeownership and Economic Opportunity Act of 2000 requires that HUD issue final regulations within 180 days of enactment.

Abstract: This rule amends HUD's regulations for the Home Equity Conversion Mortgage (HECM) Program to implement the amendments made by section 201(a) of the American Homeownership and Economic Opportunity Act of 2000. The HECM Program enables older homeowners to withdraw some of the equity in their homes in the form of payments for life, a fixed term, or at intervals through a line of credit. Section 201(a) authorizes HUD to offer mortgage insurance for refinancing of existing HECMs, and provides consumer safeguards for such refinancings. This rule follows publication of a June 5, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	06/05/01	66 FR 30278
NPRM Comment Period End	07/05/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH63**980. MORTGAGE INSURANCE PREMIUMS IN MULTIFAMILY HOUSING PROGRAMS (FR-4679)****Priority:** Other Significant**Legal Authority:** 12 USC 1701z-11(e); 12 USC 1709(c)(1); 12 USC 1713; 12 USC 1715b; 42 USC 3535(d)**CFR Citation:** 24 CFR 207**Legal Deadline:** None

Abstract: This rule amends the regulations for HUD's multifamily mortgage insurance programs by revising 24 CFR part 207 to permit the Secretary to set mortgage insurance premiums (MIPs) at any rate within his statutory authority, rather than setting specific MIP rates by regulation. Under this rule, HUD will be able to set mortgage insurance premiums at any rate between one-fourth and one percent of the outstanding principal balance of the insured loan. For several insured housing programs, this underwriting change will eliminate the need for positive credit subsidy. Promulgation of this rule will allow HUD to avoid a shutdown of these mortgage insurance programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/02/01	66 FR 35070
Interim Final Rule Effective	08/01/01	
Interim Final Rule Comment Period End	08/31/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Local, Federal, State

Agency Contact: Michael McCullough, Director, Office of Multifamily Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1142

RIN: 2502-AH64**981. RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE CONTRACT (FR-4551)****Priority:** Other Significant**Legal Authority:** 12 USC 1715z-1; 12 USC 1735f-19(b); 42 USC 1437(c)(8); 42 USC 1437f note; 42 USC 3535(d)**CFR Citation:** 24 CFR 401; 24 CFR 402**Legal Deadline:** None

Abstract: This rule will replace interim part 402, which was published on September 11, 1998, together with interim part 401 that established the Mark-to-Market program. Subsequently HUD decided to separate the two parts

and publish final part 401 separately, although the current rule makes minor conforming amendments to part 401 as well. Final part 402 will set forth the regulations governing the renewal of expiring Section 8 project-based assistance contracts, whether the projects rents are above or below market, except for renewals made as part of a Mark-to-Market Restructuring Plan under part 401.

Timetable:

Action	Date	FR Cite
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH47**982. DISTRIBUTIONS TO NONPROFIT OWNERS OF CERTAIN HUD-ASSISTED MULTIFAMILY RENTAL PROJECTS (FR-4602)****Priority:** Other Significant**Legal Authority:** 12 USC 1710 to 1715**CFR Citation:** 24 CFR 880; 24 CFR 881; 24 CFR 883**Legal Deadline:** None

Abstract: This rule adds an exception to HUD's current Section 8 regulations that prohibit any distributions to nonprofit owners of projects receiving project-based assistance. HUD may now permit distributions of surplus cash to owners of projects with expiring Section 8 project-based assistance contracts who agree to renew their contracts, if distributions are necessary to ensure continued participation of the owners in the Section 8 program.

Timetable:

Action	Date	FR Cite
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance

HUD—OH

Final Rule Stage

and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH52

983. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR-4376)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d); 42 USC 5403; 42 USC 5424

CFR Citation: 24 CFR 3280

Legal Deadline: None

Abstract: This rule will amend the Federal Manufactured Home

Construction and Safety Standards (FMHCSS) to update many of the standards that are incorporated by reference therein. These reference standards, which are developed by voluntary consensus or industry groups, provide necessary technical standards for the FMHCSS. These amendments will keep the FMHCSS current with the industries that use these reference standards by incorporating the latest edition of these standards and new relevant standards.

Timetable:

Action	Date	FR Cite
NPRM	10/30/98	63 FR 58570

Action	Date	FR Cite
NPRM Comment Period End	12/29/98	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6409

RIN: 2502-AH23

Department of Housing and Urban Development (HUD) Office of Housing (OH)

Long-Term Actions

984. MORTGAGE INSURANCE FOR THE REFINANCING OF EXISTING DEBT OF EXISTING HOSPITALS (FR-4618)

Priority: Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715n; 12 USC 1715z-7; 42 USC 3535(d)

CFR Citation: 24 CFR 242

Legal Deadline: None

Abstract: This interim rule implements Section 223(f) of the National Housing Act, which authorizes the Secretary of HUD to insure mortgages executed in connection with refinancing the debt of existing multifamily properties and health care facilities. This interim rule implements this authority with respect to acute care hospitals. The purpose of the Section 223(f) program is to provide hospitals the opportunity to refinance their long-term debt so that the hospitals can reduce their annual debt service and thus improve their financial viability. This in turn will further the congressional policy of assisting urgently needed hospitals that treat and care for persons who are acutely ill or injured and who otherwise require medical care and related services customarily furnished only by hospitals.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Roger Miller, Acting Director for Office of Insured Health Facilities, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0599

RIN: 2502-AH58

985. RELEASE OF INFORMATION TO TENANTS AND OTHER PARTIES PURSUANT TO MAHRA (FR-4531)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1437f note

CFR Citation: 24 CFR 401

Legal Deadline: None

Abstract: The rule is designed to provide tenants and other interested parties with access to the information needed for meaningful participation in the development of a Restructuring Plan, while ensuring appropriate protection of legitimate interest of project owners in confidential and proprietary business information.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2502-AH45

986. • MARK-TO-MARKET PROGRAM AMENDMENTS (FR-4751)

Priority: Other Significant

Legal Authority: PL 107-116, title VI

CFR Citation: 24 CFR 401

Legal Deadline: None

Abstract: This rule would make conforming changes to the Mark-to-Market regulations as necessary to fully implement the Mark-to-Market Program Extension Act of 2001, enacted as Title VI of Pub. L. 107-116.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH86

987. SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES; DURATION OF CAPITAL ADVANCE (FR-4466)

Priority: Other Significant

Legal Authority: 12 USC 1701q; 42 USC 1437f; 42 USC 3535(d); 42 USC 8013

CFR Citation: 24 CFR 891

Legal Deadline: None

Abstract: This rule amends the regulations for the Supportive Housing Programs for the Elderly and Persons with Disabilities (also referred to as the

HUD—OH

Long-Term Actions

Section 202 Program and the Section 811 Program, respectively) to extend the duration of the fund reservation, for project development, from 24 months to 36 months. The extension to 36 months better coincides with the amount of time that is frequently involved to commence construction of

supportive housing for the elderly and for persons with disabilities.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH36

Department of Housing and Urban Development (HUD) Office of Housing (OH)

Completed Actions

988. MANUFACTURED HOMES CONSTRUCTION AND SAFETY STANDARDS: SMOKE ALARMS (FR-4552)

Priority: Other Significant

CFR Citation: 24 CFR 3280; 24 CFR 3282

Completed:

Reason	Date	FR Cite
Final Action	03/19/02	67 FR 12812
Final Action Effective	09/16/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke
Phone: 202 708-6409

RIN: 2502-AH48

Department of Housing and Urban Development (HUD) Office of Community Planning and Development (CPD)

Proposed Rule Stage

989. CDBG BROWNFIELDS/SLUM/BLIGHT (FR-4699)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 5301 et seq

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will improve the ability of entitlement communities and States' grant recipients to use Community Development Block Grant (CDBG) funds for brownfields activities. The rule will clarify the eligibility of activities involving the cleanup and development of environmentally contaminated properties under section 105(a) of the Housing and Community Development Act of 1974, as amended. The rule also will increase CDBG recipients' flexibility to undertake activities meeting the national objective of preventing or eliminating slums or blighting conditions. The criteria for meeting the slum/blight national objective will be revised to specifically recognize economic obsolescence of buildings and the presence of environmental contaminants as blighting influences on an area or property. This rule will further clarify the list of activities that may be undertaken to address the slum/blight national objective criteria on a spot basis. Finally, this rule makes

corresponding changes in the eligibility regulations governing the Section 108 Loan Guarantee component of the CDBG program.

Timetable:

Action	Date	FR Cite
NPRM	07/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AC12

990. HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) (FR-4708)

Priority: Other Significant

Legal Authority: 42 USC 12901 et seq

CFR Citation: 24 CFR 574

Legal Deadline: None

Abstract: The Housing Opportunities for Persons with AIDS (HOPWA) program was authorized in 1992 by title VIII, subtitle D, of the Cranston-Gonzalez national Affordable Housing

Act/the AIDS Housing Opportunity Act. The Program is designed to provide States and localities with resources and incentives to provide long-term comprehensive strategies for meeting the housing needs of persons with HIV/AIDS. This update to the regulation is intended to respond to the increased program knowledge in administering housing programs for persons living with HIV/AIDS.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David Vos, Director, Office of HIV/AIDS Housing, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1934

RIN: 2506-AC11

991. SUPPORTIVE HOUSING PROGRAM (FR-4616)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11381; 42 USC 11389; 42 USC 3535 (d)

CFR Citation: 24 CFR 583

HUD—CPD

Proposed Rule Stage

Legal Deadline: None

Abstract: The Department of Housing and Urban Development is proposing to amend the Supportive Housing Program regulations. The regulations will be updated to clarify existing program requirements and to add new program requirements in accordance with recent statutory changes including requirements for some local matching funds and for permanent housing.

Additionally, this rule will make the Supportive Housing Program regulations clearer and allow for the full flexibility of the McKinney Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: John Garrity, Director, Office of Special Needs Assistance Programs, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-4300

RIN: 2506—AC07

Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)

Final Rule Stage

992. CDBG PROGRAM FOR STATES; COMMUNITY REVITALIZATION STRATEGY REQUIREMENTS AND MISCELLANEOUS TECHNICAL AMENDMENTS (FR-4081)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912; 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5300 to 5320

CFR Citation: 24 CFR 570; 24 CFR 91

Legal Deadline: None

Abstract: This rule integrates the Community Revitalization Strategies concept with the State CDBG program. This concept will provide States additional flexibility in meeting certain requirements regarding the program's national objectives and public benefit. This rule also makes several technical amendments to correct errors from previous rulemaking and to enhance and clarify the regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/22/96	61 FR 54914
Interim Final Rule Effective	11/21/96	
Interim Final Rule Comment Period End	02/16/97	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506—AB83

993. COMMUNITY DEVELOPMENT BLOCK GRANT - ASSISTED DEMOLITION OF HUD-OWNED HOUSING UNITS (FR-4698)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d); 42 USC 5301; 42 USC 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will ensure that HUD receives notification of a grantee's intent to use CDBG funds to demolish HUD-owned housing units.

Timetable:

Action	Date	FR Cite
NPRM	01/22/02	67 FR 2958
NPRM Comment Period End	03/25/02	
Final Action	10/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sue Miller, Director, Entitlement Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1577

RIN: 2506—AC10

994. SUPPORTIVE HOUSING PROGRAM—INCREASING OPERATING COST PERCENTAGE (FR-4576)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11389; 42 USC 3535(d)

CFR Citation: 24 CFR 583

Legal Deadline: None

Abstract: This rule amended the Supportive Housing Program regulations by changing the number of years for which the grant can cover 75 percent of operating costs from the first two years to all years of the grant term. This rule will be made final as part of FR-4616, revising the Supportive Housing Program generally.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/12/00	65 FR 30822
Interim Final Rule Effective	06/12/00	
Interim Final Rule Comment Period End	07/11/00	
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: John Garrity, Director, Office of Special Needs Assistance Programs, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-4300

RIN: 2506—AC05

995. DESIGNATION OF RENEWAL COMMUNITIES AND THIRD ROUND EMPOWERMENT ZONES (FR-4663)

Priority: Other Significant

Legal Authority: PL 106-554; 26 USC subchapter U; 26 USC subchapter X; 42 USC 3535(d)

CFR Citation: 24 CFR 598; 24 CFR 599

Legal Deadline: Final, Statutory, April 23, 2001, Community Renewal Tax Relief Act of 2000 requires Renewal Communities regulations no later than

HUD—CPD

Final Rule Stage

4 months after the date of enactment, December 21, 2000.

Abstract: Renewal Communities: This part of the rule will implement section 101 of the Community Renewal and Tax Relief Act of 2000 by setting forth policies and procedures applicable to the designation of Renewal Communities, authorized under Subchapter X of the Internal Revenue Code of 1986.

Empowerment Zones: Third Round - This part of the rule will implement section 111 of the Community Renewal and Tax Relief Act of 2000 by setting

forth policies and procedures applicable to the third round of designations of urban Empowerment Zones, authorized under Subchapter U of the Internal Revenue Code 1986.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/09/01	66 FR 35850
Interim Final Rule Effective	08/08/01	
Interim Final Rule Comment Period End	09/07/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pamela Glekas, Director, Empowerment Zones/Empowerment Communities Initiative, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-6339

RIN: 2506—AC09

Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)

Long-Term Actions

996. PROHIBITION ON USE OF CDBG ASSISTANCE FOR JOB-PIRATING ACTIVITIES (FR-4556)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 5301 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will implement section 588 of the Quality Housing and Work Responsibility Act of 1998 by revising HUD's regulations for the Community Development Block Grant

(CDBG) program. Section 588 prohibits State and local governments from using CDBG funds for "job pirating" activities that are likely to result in significant job loss. Job-pirating, in this context, refers to the use of CDBG funds to lure or attract a business and its jobs from one community to another community.

Timetable:

Action	Date	FR Cite
NPRM	10/24/00	65 FR 63756
NPRM Comment Period End	12/26/00	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Richard Kennedy, Office of Block Grant Assistance, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-3587

RIN: 2506—AC04

Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Proposed Rule Stage

997. FAIR HOUSING ACT REGULATION; CONFORMING AMENDMENT; UPDATE TO REFLECT CURRENT EDITION OF AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) (FR-4554)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); 42 USC 3600 to 3620

CFR Citation: 24 CFR 100

Legal Deadline: None

Abstract: Subpart D of HUD's Fair Housing Act regulations (24 CFR part 100), which address the accessibility requirements of the Fair Housing Act, has not been updated since 1991. These regulations reference compliance with the building standards of the American National Standards Institute (ANSI), but the reference to the ANSI edition of

1986 has long been superseded by two more recent editions of 1992 and 1998. Although parties subject to the Fair Housing Act regulations may continue to refer to the 1986 edition of ANSI, the regulations need to be updated to also offer compliance with the 1992 and 1998 editions as a safe harbor for compliance. This rule will update the regulations to provide that compliance with the appropriate requirements of the 1986, 1992 or 1998 editions of ANSI A117.1 suffices to satisfy the accessibility requirements of the Fair Housing Act.

Timetable:

Action	Date	FR Cite
Notice	03/23/00	65 FR 15740
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Cheryl Kent, Special Advisor for Disability Policy, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-2333

RIN: 2529—AA88

998. • CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4748)

Priority: Other Significant

Legal Authority: 42 USC 3601-3619; 42 USC 3535(d)

CFR Citation: 24 CFR 115

Legal Deadline: None

HUD—FHEO

Proposed Rule Stage

Abstract: The Fair Housing Assistance Program (FHAP) provides assistance to State and local fair housing enforcement agencies to build an intergovernmental enforcement structure to further fair housing. HUD provides assistance to State and local fair housing enforcement agencies that administer fair housing laws that are substantially equivalent to the Fair Housing Act (Title VIII of the Civil Rights Act of 1968; 42 USC 3601-3619). The FHAP program provides support for complaint processing, training,

technical assistance, education and outreach, data and information systems and other activities that will further fair housing within the state or local agency's jurisdiction. HUD intends to update its part 115 regulations with respect to both the certification of substantially equivalent agencies and the overall administration of the FHAP program.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Kenneth Carroll, Program Analyst, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-0800

RIN: 2529-AA90

Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Long-Term Actions

**999. FAIR HOUSING ACT
REGULATIONS AMENDMENTS:
STANDARDS GOVERNING SEXUAL
HARASSMENT (FR-4597)**

Priority: Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 3600 to 3620**CFR Citation:** 24 CFR 100**Legal Deadline:** None

Abstract: This final rule would amend HUD's Fair Housing regulations to clarify the standards the Department will use in sexual harassment cases.

Timetable:

Action	Date	FR Cite
NPRM	11/13/00	65 FR 67666
NPRM Comment Period End	01/12/01	

Next Action Undetermined

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: David Enzel, Deputy Assistant Secretary for Enforcement and Programs, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity

Phone: 202 619-8046

RIN: 2529-AA89

**1000. ECONOMIC OPPORTUNITIES
FOR LOW- AND VERY-LOW-INCOME
PERSONS (FR-2898)**

Priority: Other Significant**Legal Authority:** 12 USC 1701u; 42 USC 1450; 42 USC 3301; 42 USC 3535(d)**CFR Citation:** 24 CFR 135**Legal Deadline:** Final, Statutory, April 28, 1993.

Abstract: The regulations at 24 CFR 135 were revised substantially to incorporate the statutory amendments in the Housing and Community Development Act of 1992, to reflect certain changes in the design of the Department's programs that are subject to the section 3 regulations, to clarify the obligations of individuals and entities subject to the requirements of section 3, and to simplify the Department's administration of section 3 requirements. The final rule may make further revisions in response to public comment.

Timetable:

Action	Date	FR Cite
NPRM	10/08/93	58 FR 52534
Notice	11/09/93	58 FR 59423
Notice Comment Period End	12/08/93	
Interim Final Rule	06/30/94	59 FR 33886
Interim Final Rule Effective	08/01/94	
Interim Final Rule Comment Period End	08/29/94	
Extension of Effective Period of Interim Rule	05/31/95	60 FR 28325
Extension Effective	06/30/96	
Next Action Undetermined		

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: Local

Agency Contact: Casimir Bonkowski, Director, Office of Management & Policy, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-0444

RIN: 2529-AA49

Department of Housing and Urban Development (HUD)
Office of Administration (OA)

Proposed Rule Stage

**1001. HUD ACQUISITION
REGULATION (FR-4705)**

Priority: Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 41 USC 251; 42 USC 3535(d)**CFR Citation:** 48 CFR 2401**Legal Deadline:** None

Abstract: This rule will implement miscellaneous changes to the HUD Acquisition Regulation (HUDAR) including but not limited to corrections of regulatory citations due to revisions

made to the Federal Acquisition Regulation (FAR) since the last publication of the HUDAR; revisions reflecting changes in the Department's requirements regarding organizational conflict of interest, ratification of unauthorized commitments, and

HUD—OA

Proposed Rule Stage

disclosure of information provided to contractors.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Edward L. Girovasi Jr., Director, Policy & Field Operations

Division, Office of the Chief Procurement Officer, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-0294

RIN: 2535-AA26

Department of Housing and Urban Development (HUD)

Proposed Rule Stage

Office of the Inspector General (HUDIG)

1002. • IMPLEMENTATION OF THE FREEDOM OF INFORMATION ACT (FR-4716)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552; 42 USC 3535(d)

CFR Citation: 24 CFR 2002

Legal Deadline: None

Abstract: HUD's regulations at 24 CFR part 15 contain the policies and procedures governing public access to HUD records under the Freedom of Information Act (FOIA). The Inspector General Act of 1978 (5 USC App. 3) was enacted to "create independent and objective units" to perform various investigative and monitoring functions within Executive agencies of the Federal Government, including HUD. In furtherance of the goals of independence and objectivity, in 1984 the Inspector General implemented 24 CFR part 2002, which explains the procedures for requesting information from the OIG under the FOIA. Part 2002 is generally similar to HUD's FOIA regulations at 24 CFR part 15, except that OIG officials, as opposed to HUD officials, make determinations concerning the release of OIG records.

Timetable:

Action	Date	FR Cite
NPRM	03/12/02	67 FR 11208
NPRM Comment Period End	05/13/02	
Final Action	08/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bryan Saddler, Counsel to the Inspector General, Department of Housing and Urban Development, Office of the Inspector General, Room 8260, 451 7th Street, SW, Washington, DC 20410
Phone: 202 708-1613

RIN: 2508-AA12

1003. • OFFICE OF INSPECTOR GENERAL SUBPOENAS AND PRODUCTION IN RESPONSE TO SUBPOENAS OR DEMANDS OF COURTS OR OTHER AUTHORITIES (FR-4742)

Priority: Routine and Frequent

Legal Authority: Inspector General Act of 1976 as authorized (5 USC app.) and 42 USC 3537(d)

CFR Citation: 24 CFR 2004

Legal Deadline: None

Abstract: This rule would amend the regulations of the Office of Inspector General (OIG) to implement the statutory requirements concerning the issuance of OIG subpoenas, and responses to subpoenas issued to OIG employees in proceedings where OIG is not a party.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bryan Saddler, Counsel to the Inspector General, Department of Housing and Urban Development, Office of the Inspector General, Room 8260, 451 7th Street, SW, Washington, DC 20410
Phone: 202 708-1613

RIN: 2508-AA13

Department of Housing and Urban Development (HUD)

Proposed Rule Stage

Office of Public and Indian Housing (PIH)

1004. AMENDED PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) RULE (FR-4707)

Priority: Other Significant

Legal Authority: 42 USC 1437d(j); 42 USC 3535(d)

CFR Citation: 24 CFR 902

Legal Deadline: None

Abstract: Through this rule, the Department will be revising the regulations that govern the Public

Housing Assessment System (PHAS). This rule will incorporate the input of public housing stakeholders groups in the public housing assessment process.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Hanson, Acting Director, Real Estate Assessment Center, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-4932

Judy Wojciechowski, Director, PHAS Operations, Office of Troubled Agency Recovery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-4932

RIN: 2577-AC32

HUD—PIH

Proposed Rule Stage

1005. • DEREGULATION FOR SMALL PHAS (FR-4753)**Priority:** Other Significant**Legal Authority:** 42 USC 1437a; 42 USC 1437c; 42 USC 1437d(j); 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 902; 24 CFR 903; 24 CFR 985**Legal Deadline:** None

Abstract: This rulemaking would require that PHAs with no more than 250 public housing units receive PHAS ratings every other year, unless the PHA is troubled or elects to have the rating done annually. It would eliminate the resident survey as part of PHAS for these small PHAs. Additionally, it would adjust SEMAP indicators so that very small variations in PHA performance (e.g., failure to lease one or two units) do not make a disproportionate difference in scoring. PHA Plan deregulation would cover only (1) Capital Fund work items; (2) standard certifications and a certification listing any changed policies, and indicating the changes were (a) provided to the Resident Advisory Board for comment (b) duly approved by the Board of Commissioners, and (c) were locally available to the public; and (3) allow PHAs to certify to reasonable efforts to sustain RABs.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Local

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary for Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC34**1006. PUBLIC HOUSING CAPITAL FUND PROGRAM (FR-4507)****Priority:** Other Significant**Legal Authority:** 42 USC 1437g; 42 USC 3535(d)**CFR Citation:** 24 CFR 905**Legal Deadline:** None

Abstract: This rule will implement the new Capital Fund Program for the capital and management improvement needs of public housing agencies. The rule will complement the rule for the Public Housing Capital Fund Program formula allocation funding system published on March 16, 2000 (65 FR 14422). This rule will implement the regulatory framework for the Capital Fund Program that will govern the use of the assistance made available through the Capital Fund formula. The new rule at part 905 will replace and remove several other rules that currently govern a PHA's use of HUD assistance including part 941 - Public Housing Development and part 968 - Public Housing Modernization. This rule will continue and expand the streamlining of procedures and requirements initiated under the Comprehensive Grant and Comprehensive Improvement programs at part 968.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: William Thorson, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1640

RIN: 2577-AC16**1007. MIXED-FINANCE PUBLIC HOUSING DEVELOPMENT (FR-4499)****Priority:** Other Significant**Legal Authority:** 42 USC 1437z-7; 42 USC 3535(d)**CFR Citation:** 24 CFR 941**Legal Deadline:** None

Abstract: This rule will implement amendments to the Department's Mixed Finance Program to reflect statutory changes enacted on October 21, 1998. Also, the rule will revise the Mixed Finance Program so that the program conforms to HUD's new Capital Fund regulations and will clarify the specific program requirements and procedures that apply to the Mixed Finance Program, including operating-subsidy-only mixed-finance developments.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8881

RIN: 2577-AC09**1008. • DENIAL OF ADMISSION AND TERMINATION OF TENANCY OF FUGITIVE FELONS (FR-4758)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 13661 (c); 42 USC 1437d (l); 42 USC 1437f (d)(1)(B)**CFR Citation:** 24 CFR 960.204; 24 CFR 966.4; 24 CFR 982.310; 24 CFR 982.553**Legal Deadline:** None

Abstract: This rule amends the regulation for public housing and Section 8 programs to provide for denial of admission and termination of tenancy for fugitive felons.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Patricia Arnaudo, Senior Program Manager, Office of Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2577-AC38**1009. RESIDENT PARTICIPATION IN PUBLIC AND SECTION 8 HOUSING (FR-4657)****Priority:** Other Significant

Legal Authority: 42 USC 1437c-1; 42 USC 1437r; 42 USC 1437t; 42 USC 1437z-6; 42 USC 3535(d); 42 USC 1437d; 42 USC 1437g; 42 USC 1437l; 42 USC 1437; 12 USC 1715z-1b(a)

HUD—PIH

Proposed Rule Stage

CFR Citation: 24 CFR 964**Legal Deadline:** None

Abstract: This rule would update existing provisions of 24 CFR 964 and incorporate new provisions of the Quality Housing and Work Responsibility Act of 1998 related to resident/tenant participation. In particular, the rule would establish policies, procedures, and requirements for participating in the Resident Opportunities and Self-Sufficiency (ROSS) Program. Additionally, the proposed rule contains expanded definitions and other general information sections as part of HUD's long-standing efforts to support resident organizations and resident self-sufficiency.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Organizations**Government Levels Affected:** None

Agency Contact: Jeraldene White, Senior Program Manager, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-4214

RIN: 2577-AC26**1010. PUBLIC HOUSING DEMOLITION AND DISPOSITION (FR-4598)****Priority:** Other Significant**Legal Authority:** 42 USC 1437p; 42 USC 3535(d)**CFR Citation:** 24 CFR 970**Legal Deadline:** None

Abstract: This rule will revise HUD's regulations regarding demolition and disposition of public housing projects, in accordance with section 531 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276). This rule will establish the general and specific requirements for HUD approval of demolition and disposition applications, relocation of residents, resident participation in the form of consultation and opportunity to purchase, new requirements regarding resident relocation, the PHA Plan and local government consultation and a new authority for a PHA to demolish a small number of their units without a formal application under certain

circumstances, referred to as "de minimis" demolition.

Timetable:

Action	Date	FR Cite
NPRM	12/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: William Thorson, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-1640

RIN: 2577-AC20**1011. • CONVERSION OF DEVELOPMENTS FROM PUBLIC HOUSING STOCK; METHODOLOGY FOR COMPARING COSTS OF PUBLIC HOUSING AND TENANT-BASED ASSISTANCE (FR-4718)****Priority:** Other Significant**Legal Authority:** 42 USC 1437t; 1437z-5; 3535(d)**CFR Citation:** 24 CFR 972**Legal Deadline:** None

Abstract: This rule would establish the cost methodology that Public Housing Agencies (PHAs) must use under HUD's programs for the required and voluntary conversion of public housing developments to tenant-based assistance. Both programs require that PHAs, before undertaking any conversion activity, compare the cost of providing tenant-based assistance with the cost of continuing to operate the development as public housing. The cost methodology would be codified as an appendix to HUD's regulations for the required and voluntary conversion programs at 24 CFR part 972. The cost methodology was originally contained in HUD's July 23, 1999 proposed rule on voluntary conversions (although the methodology also applies to required conversions). HUD has decided to significantly revise the proposed cost methodology, based both on the public comments received on the proposed rule and upon further consideration of the cost factors that should be assessed by PHAs in making conversion determinations. Accordingly, HUD has decided to issue this new rule, which will provide the public with an additional opportunity to comment on the methodology that will be used for the required cost comparisons.

Timetable:

Action	Date	FR Cite
NPRM	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary for Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0713

RIN: 2577-AC33**1012. • IMPLEMENTATION OF SUMMARY REVISIONS TO NAHASDA (FR-4750)****Priority:** Other Significant**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 1000**Legal Deadline:** None

Abstract: This rule would implement statutory amendments made to the Native American Housing Assistance and Self-Determination Act of 1996 (25 USC 4101 et seq) (NAHASDA) by the American Homeownership and Economic Opportunity Act (Pub.L. 106-569, approved December 27, 2000) and the Omnibus Indian Advancement Act (Pub.L. 106-568, approved December 27, 2000)(with minor exception, these two laws made identical amendments to NAHASDA). The rule will: (1) allow HUD to waive the NAHASDA cooperation agreement requirements if the recipient has made a good faith effort to fulfill the requirement and agrees to make payments in lieu of taxes; and (2) provides an exception to the Davis-Bacon wage rate requirements if tribal law provides for the payment of prevailing wage rates. In addition, the rule will update the NAHASDA regulations to conform to self-implementing statutory amendments not reflected in the regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions

HUD—PIH

Proposed Rule Stage

Government Levels Affected: Tribal
Agency Contact: Ted Key, Acting Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, Washington, DC 20741
 Phone: 202 401-7914
RIN: 2577-AC37

1013. NAHASDA HOUSING ASSISTANCE FOR NATIVE HAWAIIANS (FR-4668)

Priority: Other Significant
Legal Authority: 12 USC 1715z-13a; 25 USC 4101 et seq; 42 USC 3535(d)
CFR Citation: 24 CFR 1006; 24 CFR 1007
Legal Deadline: Final, Statutory, October 1, 2001.
 Section 807 of the American Homeownership and Economic

Opportunity Act of 2001 requires that HUD issue final regulations by October 1, 2001.

Abstract: This rule implements the provisions contained in title V, subtitle B of the American Homeownership and Economic Opportunity Act of 2000. These provisions add a new title VIII to the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996. Under NAHASDA, HUD provides grants, loan guarantees, and technical assistance to Indian tribes and Alaska Native villages for the development and operation of low-income housing in Indian areas. New title VIII expands the scope of NAHASDA to include housing assistance to Native Hawaiians, and establishes statutory requirements specific to Native Hawaiian NAHASDA assistance. Part 1006 of this rule will implement the Native American Hawaiian Housing Block Grant

Program. Part 1007 will implement the Native Hawaiian Housing Loan Guarantee Program. HUD will publish a separate rule with additional program administration requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/00/02	
Interim Final Rule	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ted Key, Acting Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, Washington, DC 20741
 Phone: 202 401-7914
RIN: 2577-AC27

Department of Housing and Urban Development (HUD) Office of Public and Indian Housing (PIH)

Final Rule Stage

1014. • IMPLEMENTATION OF PUBLIC LAW 106-504: ELIGIBILITY OF CITIZENS OF THE FREELY ASSOCIATED STATES FOR FEDERALLY ASSISTED HOUSING (FR-4754)

Priority: Substantive, Nonsignificant
Legal Authority: PL 106-504
CFR Citation: 24 CFR 5; 24 CFR 960.206; 24 CFR 960.207; 24 CFR 960.407
Legal Deadline: None

Abstract: Section 3(b) of Public Law 106-504, enacted November 13, 2001 amends Section 214(a) of the Housing and Community Development Act of 1980 (USC 1436(a)) to provide that an alien who is a lawful resident in the United States and its territories and its possessions under section 141 of the compacts of Free Associations between the government of the United States and the governments of the Marshall Islands, the Federated States of Micronesia and Palau is eligible for financial assistance. Section 3(b) also includes a preference provision applicable only to Guam. This rule will update HUD's regulations to reflect these statutory changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary for Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
 Phone: 202 708-0713

RIN: 2577-AC35

1015. PUBLIC HOUSING AGENCY PLANS: DECONCENTRATION - AMENDMENT TO ESTABLISHED INCOME RANGE DEFINITION (FR-4677)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 1437c; 42 USC 3535(d)

CFR Citation: 24 CFR 903

Legal Deadline: None

Abstract: This rule will amend the deconcentration component of HUD's Public Housing Agency Plans regulations to revise the definition of Established Income Range (EIR) to include within the EIR those developments in which the average income level is at or below 30 percent of the area median income, and therefore ensure that such developments cannot be categorized as having average income "above" the Established Income Range. An income level that is at or below 30 percent of the area median income is defined as "extremely low income" in HUD's regulations. HUD believes that developments with an average family income at or below 30 percent of the area median income should not be categorized as higher income developments for purposes of income mixing because efforts to place lower income families into these developments would not result in income deconcentration as contemplated by the statute. This rule follows publication of an August 15, 2001 proposed rule, and takes into consideration the public comments on the proposed rule.

HUD—PIH

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/15/01	66 FR 42926
NPRM Comment Period End	10/15/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary for Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC31**1016. PUBLIC HOUSING HOMEOWNERSHIP PROGRAMS (FR-4504)****Priority:** Other Significant**Legal Authority:** 42 USC 1437z-4; 42 USC 3535(d)**CFR Citation:** 24 CFR 906**Legal Deadline:** None

Abstract: This rule will set forth the requirements and procedures governing a new statutory homeownership program to be administered by public housing agencies. Under this rule, a PHA makes public housing dwelling units available for purchase by low-income families as their principal residences.

Timetable:

Action	Date	FR Cite
NPRM	09/14/99	64 FR 49932
NPRM Comment Period End	11/15/99	
Final Action	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Milan Ozdinec, Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8881

RIN: 2577-AC15**1017. PUBLIC HOUSING DEVELOPMENT TOTAL DEVELOPMENT COST (TDC) (FR-4489)****Priority:** Other Significant**Legal Authority:** 42 USC 1437b; 42 USC 1437c; 42 USC 1437g; 43 USC 3535(d)**CFR Citation:** 24 CFR 941**Legal Deadline:** None

Abstract: This rule will amend HUD's regulations governing Total Development Cost (TDC) for the development of public housing. The amendments will implement changes made to the statutory TDC requirements. Among other changes, this rule will limit the amount of public housing funds that a public housing agency may use to pay for housing construction costs. The rule will also provide that demolition and environmental hazard remediation costs are included in TDC only to the extent that such costs are associated with the replacement of public housing units on the project site.

Timetable:

Action	Date	FR Cite
NPRM	01/04/01	66 FR 1008
NPRM Comment Period End	03/05/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: William Thorson, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1640

RIN: 2577-AC05**1018. REQUIRED CONVERSION OF DEVELOPMENT FROM PUBLIC HOUSING STOCK (FR-4475)****Priority:** Other Significant**Legal Authority:** 42 USC 1437z-5; 42 USC 3535(d)**CFR Citation:** 24 CFR 972**Legal Deadline:** None

Abstract: This rule implements a revision to the statute that authorizes HUD's public housing and Section 8 housing assistance programs. The revision requires Public Housing

Agencies (PHAs) to identify distressed public housing developments that must be converted to tenant-based assistance. If it would be more expensive to modernize and operate a distressed development for its remaining useful life than to provide tenant-based assistance to all residents, or the PHA cannot assure the long-term viability of a distressed development, then the PHA must develop and carry out a five-year plan to remove the development from its public housing inventory, and convert it to tenant-based assistance. This rule follows publication of a July 23, 1999 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40232
NPRM Comment Period End	09/21/99	
Final Action	06/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary for Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC01**1019. VOLUNTARY CONVERSION OF DEVELOPMENTS FROM PUBLIC HOUSING STOCK (FR-4476)****Priority:** Other Significant**Legal Authority:** 42 USC 1437t; 42 USC 3535(d)**CFR Citation:** 24 CFR 972**Legal Deadline:** None

Abstract: This rule implements a revision to the statute authorizing HUD's public housing and Section 8 housing assistance programs. The revision authorizes Public Housing Agencies (PHAs) to convert a development to tenant-based assistance by removing the development (or a portion of a development) from its public housing inventory and providing for relocation of the residents or provision of tenant-based assistance to them. This action is permitted only when that change would be cost

HUD—PIH

Final Rule Stage

effective, be beneficial to residents of the development and the surrounding area, and not have an adverse impact on the availability of affordable housing. This rule follows publication of a July 23, 1999 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40240
NPRM Comment Period End	09/21/99	
Final Rule	06/22/01	66 FR 33616
Final Rule Effective	07/23/01	
Final Action	06/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary for Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC02

1020. SECTION 8 HOUSING CHOICE VOUCHER PROGRAM; EXPANSION OF PAYMENT STANDARDS PROTECTION (FR-4586)

Priority: Other Significant

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline: None

Abstract: On October 21, 1999, HUD published a final rule implementing the statutory merger of the Section 8 tenant-based and certificate programs into the new Housing Choice Voucher program. This rule amends HUD's regulations governing this merger program to expand the regulatory payment standard protection against subsidy reduction. The October 21, 1999 final rule limited payment standard protection to the first 24 months of the lease term. This rule provides that a family is not subject to a subsidy reduction until the second regular reexamination of family income and composition following the payment standard reduction. This protection extends for the duration of the lease term. This final rule follows

publication of a July 10, 2000 interim rule, and takes into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/10/00	65 FR 42508
Interim Final Rule Effective	08/09/00	
Interim Final Rule Comment Period End	09/08/00	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gerald Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC18

1021. SECTION 8 HOMEOWNERSHIP PROGRAM; PILOT PROGRAM FOR HOMEOWNERSHIP ASSISTANCE FOR DISABLED FAMILIES (FR-4661)

Priority: Other Significant

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline: None

Abstract: This rule implements the three-year pilot program authorized by section 302 of the American Homeownership and Economic Opportunity Act of 2000 (Pub.L. 106-569, approved December 27, 2000). A public housing agency (PHA) may elect to provide homeownership assistance to a disabled family under the pilot program, rather than under the Housing Choice Voucher Program homeownership option. Under the pilot program, a PHA provides homeownership assistance to a disabled family residing in a home purchased and owned by one or more members of the family. The final rule incorporates the requirements for the pilot program in HUD's regulations for the homeownership option. In addition to the amendments implementing section 302, HUD has taken the opportunity afforded by this rule to make several clarifying and technical amendments to its September 12, 2000

final rule establishing the homeownership option. This final rule follows publication of a June 22, 2001 interim rule, and takes into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/22/01	66 FR 33610
Interim Final Rule Effective	07/23/01	
Interim Final Rule Comment Period End	08/21/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC24

1022. SECTION 8 HOMEOWNERSHIP PROGRAM; DOWNPAYMENT ASSISTANCE GRANTS AND STREAMLINING AMENDMENTS (FR-4670)

Priority: Other Significant

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline: None

Abstract: This rule implements section 301 of the American Homeownership and Economic Opportunity Act of 2000, which amends the "homeownership option" under the Housing Choice Voucher Program. Under section 301, a Public Housing Agency (PHA) may, in lieu of paying a monthly homeownership assistance payment on behalf of a family, provide homeownership assistance for the family in the form of a single grant to be used toward the downpayment required in connection with the purchase of the home. Funding for these downpayment assistance grants is anticipated for Federal Fiscal Year 2003. In addition to implementation of section 301, this final rule also clarifies and streamlines several regulatory requirements applicable to both downpayment grants and monthly

HUD—PIH

Final Rule Stage

homeownership assistance payments provided under the homeownership option. This rule follows publication of a June 13, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	06/13/01	66 FR 32198
NPRM Comment Period End	08/13/01	
Final Action	05/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0477

RIN: 2577-AC28**1023. EXCEPTION PAYMENT STANDARD TO OFFSET INCREASE IN UTILITY COSTS IN THE HOUSING CHOICE VOUCHER PROGRAM (FR-4672)****Priority:** Other Significant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 982**Legal Deadline:** None

Abstract: This rule amends the regulations for the Housing Choice Voucher program to temporarily authorize PHAs to use an exception payment standard of up to 120% of current Fair Market Rents (FMRs) to take into account increased utility costs because of increases in the price of energy. The changes made by the rule expired on October 1, 2001, when new FMRs went into effect. This rule will clarify the expiration of these temporary amendments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/06/01	66 FR 30566
Interim Final Rule Effective	07/06/01	
Interim Final Rule Comment Period End	08/06/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0477

RIN: 2577-AC29**1024. • HOUSING CHOICE VOUCHER PROGRAM HOMEOWNERSHIP OPTION: ELIGIBILITY OF PHA-OWNED OR CONTROLLED UNITS (FR-4759)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1437f; 42 USC 3535(I)**CFR Citation:** 24 CFR 982**Legal Deadline:** None

Abstract: This rule provides that properties owned or controlled by a Public Housing Agency (PHA) are eligible for purchase under the housing choice voucher program homeownership option. The interim rule also establishes procedures to remove any potential conflicts of interest for the PHA in the sale of these properties. Specifically, the rule provides that an independent entity must perform certain duties for which the PHA would normally be responsible. Among other duties, the independent entity must review the contract of sale, conduct the initial Housing Quality Standards (HQS) inspection, review the independent inspection report, and determine the reasonableness of the sales price and any PHA provided financing. These independent reviews shall be conducted in accordance with the homeownership option regulations. The independent entity must be selected by the PHA and approved by HUD in accordance with existing procedures under the voucher rental program. Further, the PHA may not direct families to purchase PHA-owned properties.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0477

RIN: 2577-AC39**1025. PROJECT-BASED VOUCHER PROGRAM (FR-4636)****Priority:** Other Significant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 983**Legal Deadline:** None

Abstract: The rule will implement the new Section 8 project-based voucher program. It is based on comprehensive legislation that Congress passed along with HUD's FY 2001 appropriation. Among the many changes made by the law, the rule will cover requirements on: competition, consistency of the PHA plan and deconcentration efforts, definition of supportive services, and HQS inspections.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** State, Local

Agency Contact: Gerald J. Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing Phone: 202 708-0477

RIN: 2577-AC25**1026. REVISIONS TO SEMAP LEASE-UP INDICATOR (FR-4604)****Priority:** Other Significant**Legal Authority:** 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 985**Legal Deadline:** None

Abstract: This rule revises the way HUD measures and verifies performance under the lease-up

HUD—PIH

Final Rule Stage

indicator for the Section 8 Management Assessment Program (SEMAP). Specifically, the rule revises the lease-up standard to measure the number of units leased against the number of units reserved and under Annual Contributions Contract (ACC), instead of against the number of units budgeted. This revised standard is consistent with established HUD policy on voucher renewals and unit allocations as formulated during negotiated rulemaking pursuant to the Quality Housing and Work Responsibility Act of 1998. In addition, this rule also revises the SEMAP

regulations to provide for automated signature of the required SEMAP certification. This final rule follows publication of an October 1, 2001 interim rule, and takes into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/01	66 FR 50004
Interim Final Rule Effective	10/31/01	
Interim Final Rule Comment Period End	11/30/01	
Final Action	12/00/02	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gerald Benoit, Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC21

Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)

Long-Term Actions

1027. OPERATING FUND ALLOCATION FORMULA (FR-4425)**Priority:** Other Significant**Legal Authority:** 42 USC 1437g; 42 USC 3535(d)**CFR Citation:** 24 CFR 990**Legal Deadline:** None

Abstract: This final rule will follow publication of a March 29, 2001 interim rule that governs the determination of funding distribution to public housing agencies under the Operating Fund and will reflect the results of a Congressionally mandated cost study. The Conference Report to HUD's FY 2000 Appropriations Act (Pub. L. 106-74, approved October 20, 1999) directs HUD to contract with the Harvard University Graduate School of Design to conduct a study of the cost incurred in operating well run public housing and provides the results to the

negotiated rulemaking committee and the appropriate congressional committees). As portions of the study are completed, HUD is meeting with representatives of the negotiated rulemaking committee that helped HUD develop the Operating Fund proposed rule, as well as other interested parties. These meetings have also been open to the public. HUD will develop the final rule based on the results of the cost study, the comments on the interim rule and further input from the members of the Operating Fund proposed rule negotiating committee and other interested members of the public.

Timetable:

Action	Date	FR Cite
Notice	02/03/99	64 FR 5570
Notice Comment Period End	03/05/99	
NPRM	07/10/00	65 FR 42488

Action	Date	FR Cite
NPRM Comment Period End	08/09/00	
Interim Final Rule	03/29/01	66 FR 17276
Interim Final Rule Effective	04/30/01	
Interim Final Rule Comment Period End	05/29/01	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Stephen Sprague, Funding and Financial Management Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1872

RIN: 2577-AB88

Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)

Completed Actions

1028. HUD POLICY FOR THE ADMINISTRATION OF HUD PROGRAMS ON INDIAN RESERVATIONS AND OTHER INDIAN AREAS (FR-4580)**Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 1000**Completed:**

Reason	Date	FR Cite
Notice	09/28/01	66 FR 49784

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal

Agency Contact: Ed Fagan
Phone: 202 401-7914

RIN: 2577-AC06**1029. LOAN GUARANTEE FOR INDIAN HOUSING; DIRECT GUARANTEE PROCESSING (FR-4241)****Priority:** Other Significant**CFR Citation:** 24 CFR 1005**Completed:**

Reason	Date	FR Cite
Final Rule	04/19/02	67 FR 19492
Final Rule Effective	05/20/02	

HUD—PIH

Completed Actions

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected:
Undetermined

Agency Contact: Ted Key

Phone: 202 401-7914

RIN: 2577-AB78

[FR Doc. 02-10528 Filed 05-10-02; 8:45 am]

BILLING CODE 4210-01-S